



UNITED STATES PATENT AND TRADEMARK OFFICE

TH

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/602,348

06/23/2003

Kazuhisa Kada

FUJS 15.990A

1806

26304 7590 05/09/2007
KATTEN MUCHIN ROSENMAN LLP
575 MADISON AVENUE
NEW YORK, NY 10022-2585

EXAMINER

LEE, ANDREW CHUNG CHEUNG

ART UNIT

PAPER NUMBER

2616

MAIL DATE

DELIVERY MODE

05/09/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/602,348	KADA ET AL.	
	Examiner	Art Unit	
	Andrew C. Lee	2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-53 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 23-28 is/are rejected.
- 7) ☒ Claim(s) 29-53 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>See Continuation Sheet</u> . | 6) <input type="checkbox"/> Other: _____ |

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :3/16/2007, 7/29/2004, 7/13/2004, 6/23/2003.

DETAILED ACTION

Response to Amendment

1. Claims 1 – 22 have been canceled.
2. Claims 23 – 53 are pending.

Specification

3. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 23 – 28 are rejected under 35 U.S.C. 102(e) as being anticipated by Christie et al. (Pub No. US 20050207435 A1).

Regarding claim 23, Christie et al. disclose the limitation of a fixed length data processing apparatus for processing fixed length data for asynchronous communication ("ATM cells" correlates to a fixed length data; "call/connection manager" correlates to a fixed length data processing apparatus; page 4, paragraph [0061], paragraph [0066])

comprising: a request generating unit being able to generate an execution request for a continuity test processing in order to confirm a continuity state in said asynchronous communication (“the nature of connection indicator is checked for continuity (COT)” correlates a a request generating unit being able to generate an execution request for a continuity test processing; pages 8 – 9, paragraph [0120], Fig. 16D); and a continuity test processing unit for generating fixed length data for a continuity test when receiving said execution request from said request generating unit, transmitting and receiving said fixed length data to and from another fixed length data processing apparatus via said transmitting apparatus to execute said continuity test processing (“If an external IAM is received” correlates to transmitting and receiving said fixed length data to and from another fixed length data processing apparatus; page 9, paragraphs [0121], [0122], Figs. 16E, 16F, 16G), and notifying a result of said continuity test processing said request generating unit (“cause is sent to the treatment table with an index” correlates to notifying a result of said continuity test processing; page 9, paragraph [0123], Fig. 16I).

Regarding claim 24, Christie et al. disclose the limitation of the fixed length data processing apparatus according to claimed wherein said continuity test processing unit performs said continuity test processing according to a process timing in synchronization with a length of said fixed length data (“the continuity (COT) process is invoked, the COT timer is started” correlates to said continuity test processing unit performs said continuity test processing according to a process timing; page 8, paragraph [0120]).

Regarding claim 25, Christie et al. disclose the limitation of the fixed length data

processing apparatus according to claimed wherein when transmission route identification information on transmission routes of said fixed length data is set in a plurality of said fixed length data handled by a plurality of transmitting apparatus ("trunk circuit table continues information related to the connections, the connections are DS0 or ATM connections" correlates to transmission route identification information on transmission routes of said fixed length data; page 5, paragraph [0085]), said continuity test processing unit performs said continuity test processing commonly to said transmission routes on the basis of said transmission route identification information ("the nature of connection indicator is checked for continuity (COT)" correlates to said continuity test processing unit performs said continuity test processing commonly to said transmission routes; page 9, paragraph [0122], Figs. 16G, 16H).

Regarding claim 26, Christie et al. disclose the limitation of the fixed length data processing apparatus according to claimed wherein when said fixed length data is handled by a predetermined transmitting apparatus ("call/connection manager" correlates to said fixed length data is handled by a predetermined transmitting apparatus; page 8, paragraph [0120]), said continuity test processing unit performs said continuity test processing correspondingly to said transmitting apparatus on the basis of apparatus identification information unique to said transmitting apparatus ("the routing label is checked and message information is recorded to the CCB. The circuit ID code (CIC) is checked in trunk circuit table and the status of the CIC is checked..." correlates to perform said continuity test processing correspondingly to said transmitting apparatus on the basis of apparatus identification information unique to said transmitting apparatus;

page 8, paragraph [0120]).

Regarding claim 27, Christie et al. disclose the limitation of the fixed length data processing apparatus according to claim 23, wherein when fixed length data for the continuity test received from said another fixed length data processing apparatus is fixed length data having been generated by its own fixed length data processing apparatus requesting to be looped back ("the mux is instructed to connect the DS0 to a loopback" correlates to said another fixed length data processing apparatus is fixed length data having been generated by its own fixed length data processing apparatus requesting to be looped back; page 4, paragraph [0073]), looped back by said another fixed length data processing apparatus and received, said continuity test processing unit notifies said request generating unit that said continuity state is normal as a result of said continuity test processing ("If the continuity test is successful, then continuity (COT) is stored in the CCB" correlates to continuity test processing unit notifies said request generating unit that said continuity state is normal; page 4, paragraph [0073], page 9, paragraph [0123]).

Regarding claim 28, Christie et al. disclose the limitation of the fixed length data processing apparatus according to claimed wherein when fixed length data for a continuity test received from another fixed length data processing apparatus is data having been generated in said another fixed length data processing apparatus requesting to be looped back, said continuity test processing unit loops back said fixed length data to said another fixed length data processing apparatus (page 4, paragraph [0073], page 20, paragraph [0185], Figs. 27A-27D).

Allowable Subject Matter

6. Claim 29 – 53 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Park et al. (5872770) disclose a received ATM layer OAM cell processing apparatus for processing in real time a fault management cell among ATM layer OAM cells of F4/F5 levels applied to a user network interface and a network node interface and performing CRC-10 and CRC-32 operations with respect to the other ATM layer OAM cells such as activation/deactivation cells, a resource management cell, a system management cell and a meta signaling cell, not processed in real time.
- Christie et al. (5920562) disclose a system and method provide enhanced services for a call that is transported from a communication device through an asynchronous transfer mode system.
- Wiley et al. (6137800) disclose a system and method connects a call in a broadband system using the asynchronous transfer mode protocol for switching.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew C. Lee whose telephone number is (571) 272-3131. The examiner can normally be reached on Monday through Friday from 8:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wing Chan can be reached on (571) 272-7493. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Andrew C. Lee/::<5/01/2007>



WING CHAN
SUPERVISORY PATENT EXAMINER